

NOTICE OF PROPOSED CHANGES IN THE
REGULATIONS OF THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES

The Department of Health and Social Services proposes to adopt regulation changes in Title 7 of the Alaska Administrative Code, dealing with assessments to determine level of care for applicants under the Mental Retardation and Developmental Disabilities, Adult with Physical Disabilities and Older Alaskans Waivers under the State Medicaid plan, including the following:

7 AAC 43.1030(b) is repealed and readopted to allow the Division of Senior and Disabled Services to implement and use the Consumer Assessment Tool (CAT) which is a quantifiable scoring tool that will be used to determine whether applicants for the adult with physical disabilities or older Alaskan waivers meet level of care so as to be eligible for home and community based waiver services.

You may comment on the proposed regulation changes, including the potential costs to private persons at Division of Senior and Disabilities Services or via email at Odette_Jamieson@health.state.ak.us. The comments must be received no later than 4:30 p.m. on January 20, 2004.

Oral or written comments also may be submitted at a hearing to be held on Tuesday, January 13, 2004, in Room 310, Division of Senior and Disabilities Services, (The Frontier Building) 3601 C Street Anchorage, AK 99503. The hearing will be held from 10:30 a.m. to 12:30 p.m. and might be extended to accommodate those present before 12:30 p.m. who did not have an opportunity to comment. Written comments that are received are public records and are subject to public inspection.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Odette Jamieson at (907) 269-3656 or at the address listed above no later than January 8, 2004 to ensure that any necessary accommodations can be provided.

For a copy of the proposed regulation changes, contact Odette Jamieson at the address listed above, or go to www.hss.state.ak.us/dsds/.

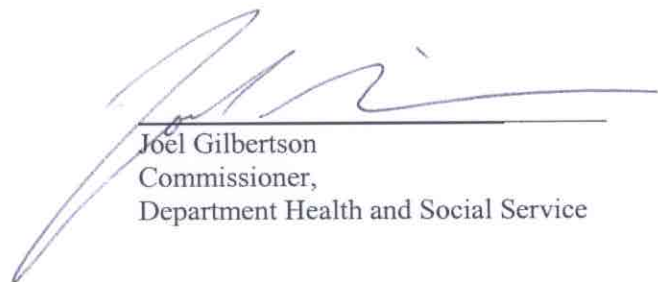
After the public comment period ends, the Department of Health and Social Services will either adopt these or other provisions dealing with the same subject, without further notice, or decide to take no action on them. The language of the final regulations may be different from that of the proposed regulations. **YOU SHOULD COMMENT DURING THE TIME ALLOWED IF YOUR INTERESTS COULD BE AFFECTED.**

Statutory Authority: AS 47.05.010; AS 47.07.030

Statutes Being Implemented, Interpreted, or Made Specific: AS 47.05.010; AS 47.07.030

Fiscal Information: The proposed regulation changes are not expected to require an increased appropriation.

DATE: 12/16/03


Joel Gilbertson
Commissioner,
Department Health and Social Service

PROPOSED REGULATIONS
DEPARTMENT OF HEALTH AND SOCIAL SERVICES
Home and Community-Based Waiver Services

7 AAC 43.1030(b) is repealed and readopted to read:

7 AAC 43.1030 (b) If warranted by the screening under (a) of this section and supportive diagnostic documentation, the managing state agency shall authorize the assessor to prepare a complete assessment of the applicant's physical, emotional and cognitive functioning and need for care and services to determine if the applicant meets level of care required for the wavier under 7 AAC 43.1010(d)(3). Assessment for the mental retardation and developmental disabilities waiver includes administration of the *Inventory for Client Agency Planning (ICAP)*, 1986, which is adopted by reference; that is provided by the managing state agency or its designee, to determine if the applicant meets the level of care for intermediate care facilities for the mentally retarded based upon the criteria in 7 AAC 43.300. Assessment for the Children With Complex Medical Conditions Wavier, shall be conducted using the Nursing Facility Level of Care Assessment Form for Children, the assessment for the Adults with Physical Disabilities and Older Alaskans Waiver shall be conducted using the Consumer Assessment Tool (CAT), 2003, which is adopted by reference; that is provided by the managing state agency or its designee, to determine if the applicant meets the level of care for skilled or intermediate nursing facility care based upon the criteria in 7 AAC 43.190.

(Eff. 12/19/93, Register 128; am ___/___/___, Register ____; am ___/___/___, Register)

Authority: AS 47.05.010 AS 47.07.030

Editor's note: The Riverside Publishing Company's *Inventory for Client and Agency Planning (ICAP)*, 1986, the Consumer Assessment Tool (CAT) 2003, and the Nursing Facility Level of Care Assessment Form for Children are available for inspection at the Department of Health and Social Services, Division of Senior and Disability Services, 240 Main Street Suite 600, Juneau, Alaska 99811.